

REMARKS

This response is to the Office Letter mailed in the above-referenced case on May 29, 2002. In Office Letter the Examiner has rejected claims 1-10 under 35 U.S.C. 103(a) as being unpatentable over Kikinis (U.S. 5,727,159), hereinafter Kikinis, in view of Banerjee et al. (US 6,292,181) hereinafter Banerjee.

Applicant has carefully reviewed the Examiner's rejections and comments, the art of Kikinis and the newly applied art of Banerjee. Applicant herein provides arguments which clearly show the newly applied art of Banerjee fails to teach a mobile unit capable of accessing, from the workstation, all data systems and software available to the workstation at the communication center.

The Examiner states that Kikinis teaches the invention as claimed, however, Kikinis does not explicitly teach said server is a workstation, nor does Kikinis teach the light computerized device has full access to all data systems and is capable of operating all software available at the communication center. The Examiner states that Official Notice is taken that a workstation operates as a server is well known. Applicant traverses this statement by the Examiner, as it is equally well known that the operations of a server and a workstation may indeed be very different. Therefore the actual operation of a workstation in a reference would have to be considered to apply a reference teaching a workstation as a server.

The Examiner states that Banerjee teaches using a mobile data processing device (MDPD) as an intelligent interface to a desktop computer to allow the user of the MDPD to access databases or any resource and control execution of any program such as Windows and Windows applications on a host computer (Abstract, col. 3, line 33-col. 4, line 19).

The Examiner states it would have been obvious to combine the well known teachings with the teachings of Banerjee and Kikinis to provide server functions.

Applicant believes that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claimed limitations.

Applicant argues that the Examiner has not provided prior art to read on applicant's claimed limitation of operating all software available at the communication center from the workstation on behalf of and according to direction from the light computerized device. Applicant's claimed limitations provide far more functionality than a mere portable interface capable of operating Windows on a PC, as taught in Banerjee. Banerjee provides a portable interface which can operate software and access data on a PC. There is no suggestion in the art to provide a portable unit capable of operating all software available at the communication center from the workstation on behalf of and according to direction from the light computerized device.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the applicant has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious **in light of the teachings of the references.** Both the suggestion to make the claimed combination and the reasonable expectation of success must be founded in the prior art **and not in applicant's disclosure.**

Applicant argues that the ability of the portable device to access and operate databases and functions at the communication center via an agent's workstation is only taught in applicant's specification. Banerjee makes absolutely no suggestion that the PC has access to software and/or data other than what is housed at the PC.

Applicant's light computerized device has access to all data systems and is capable of operating all software available at the communication center from the workstation on behalf of and according to direction from the light computerized device. Applicant argues that the combination of the art provided by the Examiner fails to read on this claimed limitation.

The hand-held device of Kikinis is primarily for downloading information from servers in the Internet. Therefore, there is no motivation for the hand-held device in Kikinis to connect to a workstation in a communication center thereby having full access to the data systems and software of the communication center. The interface of Banerjee is for operating functions on a PC.

Applicant believes claim 1 is patentable over the art of Kikinis and Banerjee as argued in detail above. Claims 2-5 are patentable on their own merits, or at least as depended from patentable claim.

Claim 6 is Applicant's method claim corresponding to independent claim 1. Applicant herein amends claim 6 to provide the same limitations as claim 1. Therefore, claim 6 is also patentable as argued on behalf of claim 1, and claims 7-10 are patentable on their own merits, or least as depended from a patentable claim.

It is clear that the prior art provided by the Examiner in this response does not suggest the invention as herein claimed. It is therefore respectfully requested that this application be reconsidered, the claims be allowed, and that this case be passed quickly to issue.

If there are any time extensions needed beyond any extension

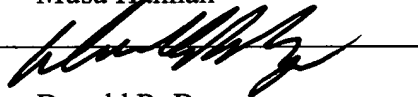
specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Version With Markings to Show Changes Made

There are no changes to the specification or the claims in the present amendment.

Respectfully Submitted,
Musa Hanhan

by

A handwritten signature in black ink, appearing to read 'Donald R. Boys', written over a horizontal line.

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